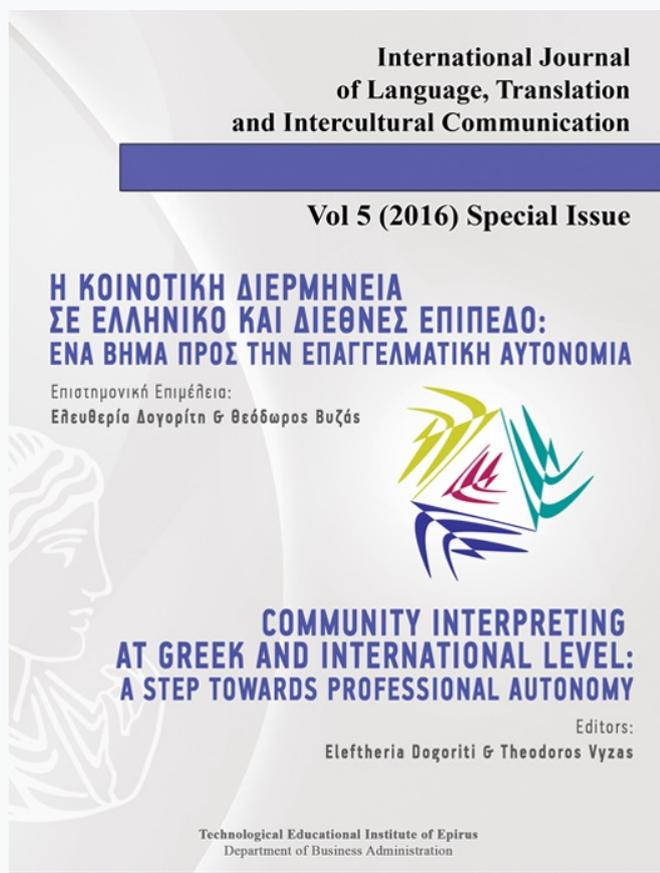


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Community Interpreting at Greek and International Level: A Step Towards Professional Autonomy



## Comparing the Court and Medical Interpreters in the USA: the certification process.

Thei Zervaki

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## Comparing the Court and Medical Interpreters in the USA: the certification process.

**Thei Zervaki**

Language Consultant, Independent Researcher  
tzervaki@hotmail.com

### Abstract

*The scope of the paper is to provide information on the current Court and Medical Interpreting certification process in the USA. It includes information on the administrative aspects of certification for both Courts and Healthcare institutions.*

*In the United States of America, the term Community Interpreting is not commonly used. There are two major types of interpretation: Court and Medical. The first is offered in US State and Federal courts to all LEP clients; the second is offered to the Healthcare Institutions as hospitals, healthcare centers and clinics to name a few.*

*As the space is limited for this authoring, the paper won't include data and statistics from different states that showcase and document success and failure rates of the certification examinations. This may well be the topic of a different paper.*

*This paper does not include information on the Court Interpreting for the Deaf and Hard of Hearing.*

**Keywords:** court interpreting, medical interpreting, USA

### 1. The current linguistic context in the USA

There are currently over 25 million people in the USA with limited proficiency in English (LEP), which means that even if they are able to work and communicate in English, they have difficulties in understanding what happens in a courtroom or a hospital. Therefore, they need the support of trained and qualified interpreters.

Courts and Healthcare institutions have developed systems, methods, procedures, and policies to satisfy requirements to provide language services to their LEP clients in order to reassure equal access to medical services and courts. As a result, training and certification systems and programs have been implemented on a state, federal or national level.

### 2. Becoming a Court Interpreter

According to the definition of the National Center for the State Courts (NCSC) professional court interpreters are individuals:

- Who possess an educated, native-like mastery of both English and a second language;
- Display wide general knowledge, characteristic of what a minimum of two years of general education at a college or university would provide;
- And perform the three major types of court interpreting: sight translation, consecutive interpreting, and simultaneous interpreting.

Most court interpreting positions are not permanent positions. The interpreter is a contractor and called in when needs arise. In certain areas in the country, there are some full-time, permanent interpreters mostly of the Spanish language.

## 2.1 Court Interpreting: LASS and CLAC

The National Center for the State Courts (NCSC) provides a program of Court Interpreting Certification through its Language Access Services Section (LASS) that each state has to comply with by implementing its own procedures and process. The collaboration between the Access Services Section from different states created the Council of Language Access Coordinators (previously known as the Consortium for Language Access to the Courts<sup>1</sup>). Courts are encouraged to use certified interpreters who are impartial and who will render a complete and accurate interpretation of the proceedings.

The Language Access Services Section provides state courts with resources to overcome language barriers in the courts and to ensure that providing individuals with limited English proficiency with access to the courts is a core function of the courts. The LASS provides the general guidelines, resources and assistance to all language program managers by state. The website of the NCSC provides also useful information on Colleges and Universities offering courses on interpreting, assessment tools, exams, bibliography and information on compensation<sup>2</sup>.

Currently, the Council offers certification in the following languages: Arabic, Bosnian/Serbian/Croatian, Cantonese, French, Haitian Creole, Hmong, Ilocano, Korean, Laotian, Mandarin, Polish, Portuguese, Russian, Somali, Spanish, Tagalog, Turkish and Vietnamese. However, different States may and can provide credentials in additional languages or can offer less languages from the ones suggested if there is not a need of that language in that particular state.

The certification process differs from state but there are more common practices and procedures than differences. State Court Interpreter Certification is not currently recognised as a valid credential at the national level, as it is subject to reciprocity requirements that vary by state.

## 3. Becoming a Medical Interpreter

In order to become a medical interpreter, the candidate should be:

- Minimum 18 years of age
- High school diploma or GED diploma
- Minimum 40 hours of healthcare interpreter training
- Language proficiency in English and the target language.

### 3.1 National Healthcare Interpreter Certification Programs

The Certification Commission for Healthcare Interpreters (CCHI), created in 2009, is an independent certification agency. CCHI's main mission is to develop and administer a

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<sup>1</sup> In April of 2012 the Consortium was restructured and renamed. It is now known as the Council of Language Access Coordinators. Nonetheless, the Consortium / Council continues to function as a multi-state partnership. Furthermore, the certification exams administered by this entity are often referred to as Consortium exams.

<sup>2</sup> By clicking on the link: <http://www.ncsc.org/Services-and-Experts/Areas-of-expertise/Language-access/Resources-for-Program-Managers/LAP-Map/Map.aspx> individuals interested in becoming court interpreters can find language access requirements by state.

national, valid, credible, independent from government agency or private vendor certification program for healthcare spoken language interpreters. CCHI Healthcare certification is currently available in 3 languages: Spanish, Arabic and Mandarin. The CCHI associate credential is available for all other languages.

The National Board of Certification for Medical Interpreters (NBCMI) was jointly founded in 2009 by two vendors: Language Line Services (LLS), a for-profit language services company, and International Medical Interpreters Association (IMIA), a professional organization based in Massachusetts. NBCMI medical certification is currently available in 6 languages: Spanish, Russian, Mandarin, Cantonese, Vietnamese and Korean. NBCMI qualification and screening is available for all other languages.

### 3.2 State Healthcare Interpreter Certification Programs

The Washington State Department of Social and Health Service created its Language Testing and Certification program<sup>3</sup> to provide language services to its LEP clients. The tests developed by LTC aim to measure both language proficiency in English and a second language and interpreting/translation skills. DSHS language certification is currently available for Medical Services in eight languages: Spanish, Vietnamese, Russian, Cambodian, Laotian, Mandarin Chinese, Cantonese Chinese, and Korean. Authorization screening tests are also available in all other languages. Tests include a written, multiple choice exam and interpreting exams (or language proficiency for authorization).

Oregon has a registry of Healthcare Interpreters. Although Oregon State hasn't developed its own language testing program, its requirements for certification include passing an interpreting certification exam offered by CCHI or NBCMI (or language proficiency test), complete 60 hours of formal medical interpreter training and complete 80 hours (or 40 hours for qualified interpreters) in the medical interpreting field.

Those are the only states that offer a certification designation.

## 4. Categories of Interpreters

There are currently the following designations of interpreters in the USA, for both Court and Medical:

- **Certified Interpreter:** an interpreter whose interpreting skills have been objectively and reliably tested in at least one direction (e.g. English into Chinese) in at least one of the three modes of interpretation: simultaneous, consecutive and sight translation.
- **Associate/Authorized/Registered/Screened Interpreter:** an interpreter whose interpreting skills have not been tested but has been otherwise proved to be qualified to provide language interpretation services in a particular language pair. There is usually a language test for language skills and oral memory skills in a particular language pair.
- **Professionally qualified:** Federal Courts only.

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<sup>3</sup> State of Washington – the process of certification and registration  
[http://www.courts.wa.gov/programs\\_orgs/pos\\_interpret/content/pdf/CertifiedProcess.pdf](http://www.courts.wa.gov/programs_orgs/pos_interpret/content/pdf/CertifiedProcess.pdf)  
[http://www.courts.wa.gov/programs\\_orgs/pos\\_interpret/content/pdf/Registeredprocess.pdf](http://www.courts.wa.gov/programs_orgs/pos_interpret/content/pdf/Registeredprocess.pdf)

As the Federal Courts certify interpreters only in Spanish language, for all other languages interpreters recruited are professionally qualified. In order to be professionally qualified the interpreter should be: a UN interpreter; a US State Department Interpreter on seminar or conference level; a member of TAALS or AIIC. In addition, Ad Hoc interpreters even if they are not professionally qualified, can demonstrate to the satisfaction of the court the ability to interpret court proceedings from English to a designated language and from that language into English.

## **5. The process of certification**

Those are the steps that an interpreter should take for both Court and Medical to get accredited in order to achieve a specific designation from the above.

- Written exam: a multiple choice exam testing English, terminology (legal or medical) and code of conduct. An 80% score is commonly needed to pass the test.
- Oral exam: testing in all three modes: simultaneous, consecutive and sight translation. Accrediting bodies have different passing score requirements for interpreter certification.

While some require 80% in each mode, others require an equally weighed combined score in a couple of modes or directions.

For languages in which there are no interpreting skills tests available, language proficiency scores in both working languages are a reliable way to assess basic language skills necessary for interpreting. However, these oral language proficiency tests do not evaluate interpreting skills.

- Training/orientation day: interpreting skills, terminology, ethics and protocol
- Background information: criminal records check, fingerprinting, security clearance
- ID badge
- Oath: interpreters swear to abide by a specific code of professional conduct (mostly for Court Interpreters)
- Roster: accredited interpreters' name and contact information is placed on a list or database on a state level for Courts and national level for Healthcare organisations.

## **6. Education and Training of Interpreters**

A 4-year undergraduate degree is not required to become a Court or Medical Interpreter. Although there are several undergraduate and graduate programs in Linguistics and Translation and Interpretation, such a program does not exist in Court or Medical Interpreting. In some cases, a few Court Interpreting specific modules within the general undergraduate and postgraduate programs are offered but as a rule of thumb, those who want to follow this career path, need to take training or classes offered by:

1. Continuing education programs, adult or extended education classes of various Colleges and Universities on campus or online
2. Private interpreting training companies and schools both on campus or online
3. Classes and courses offered by professional national or state organisations like ATA

This type of training addresses topics as an overview of the justice system, court and legal terms, types of hearings, the court protocol, the role of the interpreter and language specific training in consecutive, simultaneous interpreting and sight translation as well as the code of conduct. In a medical setting, include healthcare policies and procedures, language use, the code of conduct and specific interpreting training<sup>4</sup>.

## **7. Interpretation Accrediting and Certifying Bodies**

The interpreter Accrediting and Certifying bodies are private organisations or governmental agencies in charge of accrediting and regulating professional interpreters.

## **8. Continuing Education Credits**

In order to keep their certification, interpreters need to complete the required per state or national accreditation body continuing education credits. Credits can be gained by attending workshops and seminars on three areas: ethics, general interpretation and language specific.

Different states have different requirements to keep the certification up to dated and those also depend on the level of certification or registration.

For Courts, Interpreters can identify accredited courses and workshops, physical and online on the websites of the Court Language Access Services of the Courts, state Court entities and national professional organisations. For Healthcare, organisations like the National Council on Interpreting in Health Care and state or national interpreters' associations etc.

## **9. Similarities and differences between the two certification programs**

Both programs include a lengthy and bureaucratic process that involves both written and oral exams and is managed by each state or on national level. It is also understood that a 4-year undergraduate degree is not required to become a court or medical interpreter.

One difference is that medical interpreters need only a high school diploma to be able to qualify but court interpreters are required to have general knowledge corresponding to a two-year postsecondary education program that a college or university would provide.

On the other hand, medical interpreter's certification programs require a minimum of medical training hours (between 40-60 depending on designation) prior to taking the certification exams, a non-requirement for court interpreters.

In addition, Medical interpreting certification is recognised on national level although certification for the State Courts has been developed on state level.

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<sup>4</sup> A list of USA schools and training programs, can be found in the following website:  
[http://www.ncsc.org/~media/Files/PDF/Education%20and%20Careers/State%20Interpreter%20Certification%2002/Interpreter\\_Colleges\\_Universities.ashx](http://www.ncsc.org/~media/Files/PDF/Education%20and%20Careers/State%20Interpreter%20Certification%2002/Interpreter_Colleges_Universities.ashx)  
The American Translators Association provides a list of approved and accredited schools here:  
[https://www.atanet.org/certification/eligibility\\_approved.php](https://www.atanet.org/certification/eligibility_approved.php)

## Conclusion

It is clear that the interpreting certification process in the US for the State Courts and Healthcare organisations is a lengthy and bureaucratic process that involves both written and oral exams and is managed by each state or on national level. It is also understood that a 4-year undergraduate degree is not required to become a court interpreter.

Due to the increasing needs and demands of LEPs, there is more than ever the need for qualified court and medical interpreters. However, there is a lot of criticism by both court and healthcare personnel and interpreters' associations that there is a shortage of qualified and certified interpreters and high rates of exam failure resulting in performing this job without qualifications and skills. It is interesting, however, that none of the parties involved ever questions the level of the interpreter's education.

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<http://cosca.ncsc.org/~media/Microsites/Files/COSCA/Policy%20Papers/CourtInterpretation-FundamentalToAccessToJustice.aspx>
- Federal Courts, <http://www.uscourts.gov/services-forms/federal-court-interpreters/>
- National Association of Judiciary Translators and Interpreters,  
<http://www.najit.org/certification/certification.php>
- National Center for the State Courts, <http://www.ncsc.org/Education-and-Careers/State-Interpreter-Certification.aspx>
- NBCMI - The National Board of Certification for Medical Interpreters,  
<http://www.certifiedmedicalinterpreters.org/>
- NCIHC - National Council on Interpreting in Health Care, <http://www.ncihc.org/>
- State of Washington – the process of certification and registration  
[http://www.courts.wa.gov/programs\\_orgs/pos\\_interpret/content/pdf/CertifiedProcess.pdf](http://www.courts.wa.gov/programs_orgs/pos_interpret/content/pdf/CertifiedProcess.pdf)  
[http://www.courts.wa.gov/programs\\_orgs/pos\\_interpret/content/pdf/Registeredprocess.pdf](http://www.courts.wa.gov/programs_orgs/pos_interpret/content/pdf/Registeredprocess.pdf)

## Terminology

CLAC: Council of Language Access Coordinators

LASS: Language Access Services Section

LEP: Limited English Proficiency, meaning the person who does not understand or speak English fluently and needs an interpreter to communicate in their first language.

NCSC: National Center for the State Courts

## ANNEX

### **The US Court system**

There are two different court systems in the USA. The Federal Courts and the State Courts. The first applies in interstate cases and international legal matters; The second, more frequently used, to each state's needs. The article will present the interpreting certification process for both systems.

There are some 1,500 federal judges and about one million cases are brought each year in federal courts. Nearly 80% of these cases are bankruptcy filings and approximately 10% are minor criminal cases. They also deal with cases in which the United States is a party, cases involving foreign diplomats, and some special cases, such as incidents at sea. Federal courts also hear cases that are based on state laws but that involve parties from different states.

State courts are established by a state, or by a county or city within the state. The number of state court cases exceeds 27 million each year, not including traffic and parking violations. The cases individual citizens are most likely to be involved in—such as robberies, traffic violations, broken contracts, and family disputes.

**Comparing National Healthcare Interpreter Exams**

	<b>National Board for Certification of Medical Interpreters (NBCMI)</b>  CMI – Certified Medical Interpreter	<b>Certification Commission for Healthcare Interpreters (CCHI)</b>
<b>Languages</b>	Cantonese, Korean, Mandarin, Russian, Spanish, Vietnamese	CHI level for Arabic, Mandarin, Spanish
<b>Requirements</b>	<ol style="list-style-type: none"> <li>1. Minimum 18 years of age</li> <li>2. High school diploma or GED diploma</li> <li>3. Minimum 40 hours of health care interpreter training</li> <li>4. If have worked as a health care interpreter for at least 1 year in the last 2 years for <u>Cantonese, Korean, Mandarin, Russian, or Vietnamese</u>, then proof of employment in place of proof of language proficiency</li> <li>5. Or, proof of oral proficiency in English by <b>one</b> below:               <ol style="list-style-type: none"> <li>a. Bachelor, Masters, PhD, or any other degree from any US institution of higher education</li> <li>b. Graduation from any high school in an English language country or from an American School abroad</li> <li>c. One of the following tests:                   <ol style="list-style-type: none"> <li>i. TOEFL: 570+ on paper; 230+ on computer version; 90+ on iBT</li> <li>ii. ELPT: 950+</li> <li>iii. MELAB: 80+</li> <li>iv. ECPE: PASS</li> <li>v. FCE: A</li> <li>vi. CAE: B</li> <li>vii. CPE: B</li> <li>viii. IELTS: 7.0</li> </ol> </li> </ol> </li> </ol>	<ol style="list-style-type: none"> <li>1. Minimum 18 years of age</li> <li>2. High school diploma or GED diploma</li> <li>3. Minimum 40 hours of health care interpreter training</li> <li>4. Language proficiency in English and the target language</li> </ol> <p><b>Note:</b> Requirements are met by describing them in the application. Providing evidence of requirements is not required at the time of application, but applicants are randomly audited and then asked to provide evidence.</p>

	<p>6. Proof of oral proficiency in target language by <b>one</b> below:</p> <p>a. Bachelors, Masters, PhD, or any other degree from an institution of higher education where the target language is spoken</p> <p>b. Graduation from a high school of the country where the target language is spoken</p> <p>c. 24+ semester college credit hours of the target language</p> <p>d. ACTFL Orals Exams: Advanced Mid Level</p>	
	N	C
<b>Cost</b>	<ul style="list-style-type: none"> <li>• Registration: <b>\$35 (free for Oregon residents testing in a language other than Spanish)</b></li> <li>• Written Exam: <b>\$175</b></li> <li>• Oral Exam: <b>\$275 (\$235 for Oregon residents testing in a language other than Spanish)</b></li> <li>• <b>Total for Spanish: \$485</b></li> <li>• <b>Total for other languages: \$410 (for Oregon residents)</b></li> </ul>	<ul style="list-style-type: none"> <li>• Registration: <b>\$35 (\$15 for Oregon residents, any language)</b></li> <li>• CoreCHI Written Exam: <b>\$175 (For Oregon residents: \$155)</b></li> <li>• Oral CHI Performance Exam: <b>\$275</b></li> <li>• <b>Total for CHI level: \$485 (For Oregon residents: \$445)</b></li> </ul>
<b>Testing Details</b>	<p>Written Exam:</p> <ul style="list-style-type: none"> <li>• Exam is offered year round, online or at a testing center</li> <li>• 51 multiple choice questions, 75 minutes to complete</li> </ul> <p>Oral Exam:</p> <ul style="list-style-type: none"> <li>• Exam is offered year round, online or at a testing center</li> <li>• 12 mini-scenarios, 2 sight translation passages, 45-60 minutes to complete</li> </ul>	<p>CoreCHI Written Exam:</p> <ul style="list-style-type: none"> <li>• Exam is offered year round at a testing center</li> <li>• 100 multiple choice questions, 2 hours to complete</li> </ul> <p>Oral CHI Performance Exam:</p> <ul style="list-style-type: none"> <li>• Exam is offered 4 testing windows a year at a testing center</li> <li>• 4 consecutive, 2 simultaneous, and 1 sight translation interpreting vignettes; 1 multiple choice question; 60 minutes to</li> </ul>

		complete (plus 30 min instructions / prep time before the beginning of the exam)
<b>Recertification</b>	<ul style="list-style-type: none"> <li>• Every 5 years</li> <li>• No retesting required</li> <li>• Proof of 3.0 Continuing Education Units (30 hours)</li> <li>• Application due at least 45 days before the 5 year mark</li> <li>• Renewal Cost: <b>\$300</b></li> </ul>	<ul style="list-style-type: none"> <li>• Every 4 years</li> <li>• No retesting required</li> <li>• Years 1-2: 16 hours continuing education, 20 hours healthcare interpreting experience</li> <li>• Years 3-4: 16 hours continuing education, 20 hours healthcare interpreting experience</li> <li>• Two renewal applications (for years 1-2 and 3-4) must be submitted at least 30 days before the 4 year mark</li> </ul>
<b>Website</b>	<a href="http://www.certifiedmedicalinterpreters.org/">http://www.certifiedmedicalinterpreters.org/</a>	<a href="http://www.cchicertification.org/">http://www.cchicertification.org/</a>